

**MINUTES OF THE JOINT EXECUTIVE APPROPRIATIONS
COMMITTEE MEETING
FEBRUARY 14, 2007, 5:15 P. M.
Room W135, West Office Building, State Capitol Complex**

Members Present: Sen. Lyle Hillyard, Committee Co-Chair
 Rep. Ron Bigelow, Committee Co-Chair
 Sen. Gene Davis
 Sen. Mike Dmitrich
 Sen. Dan Eastman
 Sen. Pat Jones
 Sen. Sheldon Killpack
 Sen. Ed. Mayne
 Pres. John Valentine
 Rep. Ralph Becker
 Rep. David Clark
 Speaker Greg J. Curtis
 Rep. Brad Dee
 Rep. Brad King
 Rep. David Litvack
 Rep. Carol Spackman Moss
 Rep. Gordon Snow

Sen. Peter Knudson, Vice-Chair
Rep. Becky Lockhart, Vice Chair

Members Excused: Sen. Curtis Bramble

Staff Present: John Massey, Legislative Fiscal Analyst
 Bonnie Brinton, Secretary
 Norda Shepard, Secretary

List of Others Present and Handouts on File

Co-Chair Hillyard called the meeting to order at 5:20 p.m.

Approval of Minutes

MOTION: Co-Chair Bigelow moved to approve the minutes of February 7 and 8, 2007.

The motion passed unanimously with Rep. D. Clark absent for the vote.

Co-Chair Hillyard explained that the Issue Brief - Division of Juvenile Justice Services and

Attorney General Federal Funding Issues is in response to a request from Committee members and is for information only.

1. Statewide and Capitol Building Seismic Issues

Co-Chair Bigelow discussed the handouts relating to seismic monitoring which included a letter from the Utah Seismic Safety Commission; a summary of Expanding Seismic Instrumentation and Real-time Earthquake Information Products in the St. George-Cedar City area and Rural Utah and a full proposal summary; Strategic Building Blocks for Effective Statewide Seismic Monitoring in Utah; and a summary of Earthquake Engineering Need Reported to House Speaker in June 2006: Seismic Structural-Response Monitoring of State Capitol. He stated that this information does not relate to one single Subcommittee and is presented in this Committee to inform members of the issues. There will be no discussion or motions on the issues.

Co-Chair Bigelow directed attention to the Strategic Building Blocks--Ranked in Priority with a one-time total cost of \$1,442,000 and an ongoing annual cost of \$450,000. Regarding the Seismic Structural-Response Monitoring of the State Capitol the cost estimate is one-time, \$200,000; and ongoing, Relatively minor; U.S. Geological Survey would have to provide quote (likely about \$10,000 per year).

Rep. King was informed that Walter Arabasz, Director, University of Utah Seismograph Stations, could provide additional information on these issues.

2. Approve Revenue Estimates and Spending Limit

MOTION: Co-Chair Bigelow moved to adopt the revised revenue estimates for FY 2007 and FY 2008 for the following Funds as noted on the green sheet: General, Education, Transportation and Mineral Lease. A copy of these estimates are attached to the minutes.

The motion passed unanimously.

MOTION: Co-Chair Bigelow moved to authorize the use of the following one-time funds in FY 2007 or FY 2008 for the following: Tourism Marketing Set-aside and Justice Courts Tech Fund Txfr. A copy of this authorization is attached to the minutes.

The motion passed unanimously.

MOTION: Co-Chair Bigelow moved to adopt the appropriations limit estimates for FY 2007 and FY 2008 for the following: Appropriations Limit and Non-exempt

Appropriations, which includes appropriations made by HB 1, HB 3, HB 148, and SB 127, 2007 General Session. A copy of the estimates is attached to the minutes.

The motion passed unanimously.

Co-Chair Bigelow referred to the chart showing the Calculation of Available Revenue Assuming Feb. '07 Estimates and FY 07-FY 08 Appropriations as of 2/14/2007, as an information item only. A copy of this chart is attached to the minutes.

3. Approve Fees, Intent Language, and Subcommittee Base Budget Actions

Co-Chair Bigelow explained the Summary Motions - Appropriations Subcommittee Reports. He stated that there have been some changes made and some controversy has arisen regarding some of the motions of the Subcommittees. Each of these changes will be discussed. As a result the motions indicated by underlining will be deleted from the Summary Motions made and these motions will be addressed at a later time. He emphasized that the motions deleted are still active discussion items.

Rep. Litvack asked for a clarification regarding the intent language recommendations of the Joint Appropriations Subcommittee for Health & Human Services items 63 and 68 on page 5-6, and 71 and 77 on page 5-7, and 79 on page 5-8.

Pres. Valentine reemphasized that the intent language and motions not being approved today will be addressed at a later time, and that they are still active discussion items.

Co-Chair Bigelow referred to the FY 2008 Budget Recommendations for the Joint Appropriations Subcommittee for Higher Education/Utah Education Network. He stated that these recommendations are for information only.

Regarding the Joint Appropriations Subcommittee for Natural Resources fees motion, Co-Chair Bigelow explained that there had been no change to the Subcommittee's actions, but the underlining indicated a printing error. This motion will be approved in the Summary Motion.

Co-Chair Bigelow stated that there would be no intent language adopted for the Joint Appropriations Subcommittee for Public Education at this time. There are some questions remaining and intent language for this Subcommittee will be considered at a later time.

Two items were explained by Co-Chair Bigelow regarding the Joint Appropriations

Subcommittee for Transportation and Environmental Quality. The first is the FY 2008 Budget Motion. The Co-Chair stated this motion has been determined to be unconstitutional and will have to be reconsidered. Rep. Becker asked about the \$1 million one-time Transportation Fund for PM 2.5 Air Quality Planning. Co-Chair Bigelow explained that this funding must be handled in a another way. Vice-Chair Lockhart responded to the question and stated that the \$1 million is on a priority list and will have to be funded in another way than with the transportation money.

The second item of consideration in Transportation and Environmental Quality is the FY 2008 Intent Motion. The words "of item 91" is to be added after the word "paragraph." The FY 2008 Intent Motion would then read: I move to adopt the intent language recommendations of the Joint Appropriations Subcommittee for Transportation and Environmental Quality as shown on page 9-7 for inclusion in the 'New Fiscal Year Supplemental Appropriations Act' (H.B. 150) except the second paragraph of item 91 on page 9-8 and that new intent language will be added.

MOTION: Co-Chair Bigelow moved to approve all motions except for those as noted in previous discussion, as shown on pages 1-28 of the pink packet dated 2-14-2007. A copy of this packet is attached to the minutes.

The motion passed unanimously.

4. Other Committee Business

MOTION: Co-Chair Bigelow moved to adjourn.

Co-Chair Hillyard adjourned the meeting at 5:45 p.m.

Minutes reported by Bonnie Brinton and Norda Shepard, Committee Secretaries.

Sen. Lyle W. Hillyard, Co-Chair

Rep. Ron Bigelow, Co-Chair